IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Cronce Date: October 30, 2006

Serial No.: 10/072,597 Group Art Unit: 3621

Filed: 2/5/2002 Examiner: Bayat, Bradley B.

Title: Method and System for Delivery of Confirmation No.: 1789

Secure Software License

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria. VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

In response to the Notice of Abandonment mailed August 11, 2006, Applicant hereby petitions to withdraw the holding of abandonment.

On April 24, 2006, Applicant timely submitted a Rule 1.116 amendment in response to a Final Office Action mailed January 23, 2006 via EFS. A copy of the electronic filing receipt is attached hereto.

In July of 2006, Attorney for Applicant had a telephone conversation with the Examiner of the present application, Bradley Bayat, to discuss the status of a Power of Attorney filed in the present application as well as other applications of the Assignee for which Eximiner Bayat was also examining. During this telephone conversation, Examiner Bayat indicated that although Applicant's R1.116 amendment was received via EFS and appears in "PAIR," the Patent Office failed to properly enter the amendment, resulting in the amendment not appearing in "PALM." The Examiner explained that since the amendment did not appear in "PALM." the Examiner had no notice of the amendment, so

the application would go abandoned for failure to timely file a proper reply. It was discussed during the telephone conversation that because the Patent Office failed to enter the amendment, that Applicant could file a Petition to withdraw the Holding of Abandonment after the Notice of Abandonment was issued.

However, in the Notice of Abandonment subsequently issued August 11, 2006, Examiner Bayat merely indicated that the application went abandoned because the reply received on April 24, 2006 failed to place the application in condition for allowance. Because the Examiner failed to mention the Patent Office's failure to enter the amendment, it is believed that the Examiner's reason for abandonment is either incomplete, and/or in error, and the holding of abandonment should be withdrawn.

As evidence that the amendment was not entered by the Patent Office, Applicant has attached hereto a copy of the application's image file wrapper showing that an Advisory Action was never issued in reply to Applicant's amendment. The failure of the Examiner to issue an Advisory Action is consistent with the Examiner's explanation that the Patent Office failed to enter Applicant's timely filed amendment.

Applicant presumes that should the holding of abandonment be withdrawn, the Examiner will maintain that the Applicant's amendment does not place the application in condition for allowance. Therefore, Applicant is also submitting as a Notice of Appeal in the event that the petition is granted.

CERTIFICATE

I hereby certify that this correspondence is being facsimile or electronically transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below

Date: October 30, 2006

Signature: /Stephen G. Sullivan/ Typed Name: Stephen G. Sullivan Respectfully submitted,

/Stephen G. Sullivan/ Stephen G. Sullivan

Attorney/Agent for Applicant(s)

Reg. No. 38329 Telephone No.: 650 969-7474

Date: October 30, 2006

Electronic Acknowledgement Receipt				
EFS ID:	1029365			
Application Number:	10072597			
Confirmation Number:	1789			
Title of Invention:	Method and system for delivery of secure software license information			
First Named Inventor:	Paul A. Cronce			
Correspondence Address:	SAWYER LAW GROUP LLP - P.O Box 51418 - Palo Alto CA 94303 US 94303			
Filer:	Stephen Grant Sullivan			
Filer Authorized By:				
Attorney Docket Number:	2401P			
Receipt Date:	24-APR-2006			
Filing Date:	05-FEB-2002			
Time Stamp:	14:18:18			
Application Type:	Utility			
International Application Number:				
Payment information:				

no

Submitted with Payment

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages		
1		2401P_R116_Amend.pdf	87703	yes	21		
	Multipart Description						
	Doc Desc		Start	End			
	Amendment After Final		1	1			
	Specification		2	3	1		
	Claims		4	11			
	Applicant Arguments/Remarks	12	21				

Warnings:

Information:

Total Files Size (in bytes):

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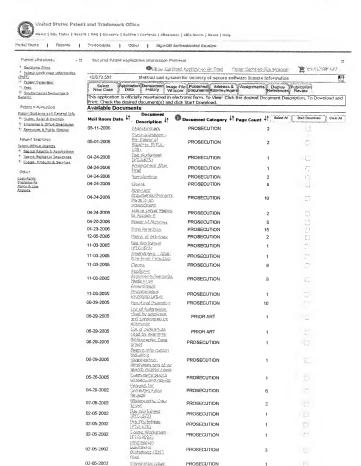
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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filling date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.



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